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0321.68542

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: Michael J. Sailor

Mail No.: 10/731,220

Conf. No.: 4581

Filed: 12/9/2003

For: POROUS SILICON-BASED EXPLOSIVE

Art Unit: 3643

Examiner: Gellner, Jeffrey L.

)  
) I hereby certify that this paper is being deposited with  
) the United States Postal Service as FIRST-CLASS mail  
) in an envelope addressed to: Mail Stop Amendment,  
) Commissioner for Patents, P.O. Box 1450, Alexandria,  
) VA 22313-1450, on this date.

) October 24, 2005

) Date [Signature] Registration No. 41,760

) F-CLASS.WCM Attorney for Applicant(s)

) Appr. February 20, 1998

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Dear Sir:

Transmitted herewith is a communication regarding the above-identified application.

(X) Response to Non-Compliant Amendment

(X) If a Petition under 37 C.F.R. §1.136(a) for an extension of time for response is required to make the attached response timely and does not separately accompany this transmittal, Applicant(s) hereby petition(s) under 37 C.F.R. §1.136(a) for an extension of time for response in the above-identified application for the period required to make the attached response timely.

(X) The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069. A duplicate copy of this sheet is enclosed.

October 24, 2005  
300 South Wacker Drive – Suite 2500  
Chicago, Illinois 60606  
Tel.: (312) 360-0080  
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Customer No.: 24978

Respectfully submitted,

GREER, BURNS & CRAIG, LTD.

By: [Signature]

Brittany MacDonald, Reg. No. 44,159



321.68542

## PATENT APPLICATION

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael J. Sailor et al.  
Serial No.: 10/731,220  
Conf. No.: 4581  
Filed: December 9, 2003  
For: POROUS SILICON-BASED  
EXPLOSIVE  
Art Unit: 3643

*I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date*

*October 24, 2005*

Date  
F-CLASS.WCM

Appr. February 20, 1999 Attorney for Applicant(s)

*Registration No. 44,159*

### RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the October 13, 2005 Notice of Non-Compliant Amendment, and as a follow-up to Applicant's October 19, 2005 telephone conference with Examiner Gellner, Applicant provisionally elects, with traverse, the species combination recited in claims 2 (nitrate salt) and claim 11 (thin film nanocrystalline silicon).

More particularly, the Examiner originally indicated that Group I (Claims 1-12) included Species A, B and C, which respectively corresponded to "a single solid state oxidant," "a single fluoride salt," and "structure of nanocrystalline silicon, e.g., nanowire, thin film, or powder." However, during the October 19, 2005 telephone conference, the Examiner clarified the species to be (1) one of nitrate salt, perchlorate salt and fluoride salt, and (2) the structure of the nanocrystalline silicon. Accordingly, Applicant provisionally elects that species combination that includes nitrate salt and thin film nanocrystalline silicon.